



Willow Creek Investments LP. Ex. 1 was provided by the Defendants to investor Geoffrey Orley. On page 11 of the PPM Nicholas Genovese is identified as the “founder and Chief Executive Officer of the General Partner and the Investment Manager and the main portfolio manager/analyst with primary responsibility for making investment decisions for the Partnership.” In addition, the PPM states that “Prior to founding Willow Creek 8 years ago, Mr. Genovese was a Partner at Goldman Sachs and previous to that was Portfolio Manager, and member of the Investment Strategy Committee at Bear Stearns. He received a B.S. in Finance from University of Kentucky and a M.B.A. in Finance from Dartmouth-Tuck Business School.”

3. On page 37 of the PPM, Grant Thornton is identified as the partnership’s auditor.

4. Attached hereto as Ex. 2 is the Declaration of Geoffrey Orley dated January 31, 2018.

5. Attached hereto as Ex. 3 is an email from Goldman Sachs sent to the Plaintiff on January 25, 2018, stating that after conducting a reasonable search of their employment records, the company has found no record of Nicholas Genovese ever having been employed at Goldman Sachs.

6. Attached hereto as Ex. 4 is a letter dated January 30, 2018 from Grant Thornton stating that Grant Thornton has no record of any of the Defendants ever being a client.

7. Attached hereto as Ex. 5 is a letter dated January 26, 2018 from the registrar of the Dartmouth Tuck School of Business stating that it has no record of Nicholas Genovese having attended the school.

8. Attached hereto as Ex. 6 is a letter dated January 29, 2018 from the registrar’s office of the University of Kentucky stating that Nicholas Genovese never attended the University of Kentucky.

9. Attached hereto as Ex. 7 is a Form D filed by Willow Creek Investments, LP with the Securities and Exchange Commission on April 22, 2016. On the Form D, Nicholas Genovese is described as the Manager of the General Partner of Willow Creek Investments, LP. On the Form D, boxes are checked in the section marked “Industry Group” which represent that Willow Creek Investments, LP is a “pooled investment fund” and a “hedge fund.”


10. Attached hereto as Ex. 8 is a Complaint filed on January 23, 2018 in the United States District Court for the Southern District of New York captioned *Colony Hills Capital, LLC v. Willow Creek Advisors, LLC; Nicholas Genovese; Willow Creek Investments, LP; and Willow Creek GP, Corp.*, Case No. 1:18-cv-00593.

11. Attached hereto as Ex. 9 are relevant excerpts from a Thomson Reuters “CLEAR” report on Nicholas Genovese dated January 24, 2018. The CLEAR report shows that Nicholas Genovese has several prior criminal convictions and has served time in prison. Ex. 9 at pages 28-40. Between 1990 and 2004, in five separate criminal actions, he was convicted of theft by deception, grand larceny (three times), identity theft and second degree scheme to defraud in Illinois and New York. In 1998 and 1999, while serving a prison sentence, Genovese filed for and received a bankruptcy discharge under Chapter 7 of the U.S. Bankruptcy Code. *Nicholas Joseph Genovese*, 98-42280 (S.D. Ill.). Ex. 9 at 40-41.

12. On January 25, 2018, Plaintiff issued a subpoena to Willow Creek Advisors, LLC, Willow Creek Investments, LP, Willow Creek GP, Corp. and Nicholas Genovese, requiring the production of certain documents by January 29, 2018 and requiring Genovese to appear for testimony on January 30, 2018. Plaintiff has received no documents in response to the subpoena and Genovese failed to appear for testimony.

I declare under penalty of perjury (under the laws of the United States of America) that the foregoing is true and correct.

Dated: February 1, 2018  
New York, New York

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James K. Hanson